

REMARKS

Claims 1-32 are pending in this application. By this Amendment, the specification and claims 1, 3-5 and 8-9 are amended and new claims 11-32 are added.

The Office Action objects to claim 3 because of informalities. It is respectfully submitted that the above amendment to claim 3 obviates the grounds for objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 5, 6 and 9-10 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. By this Amendment, claims 5 and 9 are amended to obviate the grounds for rejection. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 1-5, 7 and 9 under 35 U.S.C. §103(a) over applicants' admitted prior art Figures 2-4 and the specification pages 1-9 (hereafter applicants' alleged admitted prior art) in view of U.S. Patent 6,621,230 to Lim. The rejection is respectfully traversed.

Applicants respectfully submit that Figures 2-4 and the specification on pages 1-7 do not state that Figures 2-4 or the discussion thereof constitutes "Prior Art" as alleged in the Office Action.

Applicants are attaching a certified translation of the Korean priority document, namely Korean Patent Application 10-2002-0045605, filed August 1, 2002. The filing date of the Korean priority document predates the December 26, 2002 publication date of the Lim patent.

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Applicants believe that all pending claims are supported by the Korean priority document. As such, any rejection based on 35 U.S.C. §102(a)/103(a) should therefore be withdrawn.

Furthermore, applicants respectfully submit that Lim may not be used as prior art in accordance with 35 U.S.C. §103(c). More specifically, the present application is assigned to LG Electronics Inc. (Seoul, Korea) as is evidenced by the Assignment recorded beginning at Reel 014346, Frame 0988. This is the same assignee as the Lim patent. In accordance with 35 U.S.C. §103(c), subject matter that qualifies as to prior art only under 35 U.S.C. §102(e) is not to be considered under 35 U.S.C. §103, provided the subject matter and the claimed invention were commonly assigned at the time the invention was made. In this situation, the present application and the Lim patent were commonly assigned to LG Electronics Inc. As such, the Lim patent may not be used as prior art due to 35 U.S.C. §103(c). Withdrawal of the outstanding rejection under 35 U.S.C. §103(a) over applicants' alleged admitted prior art in view of Lim is respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-32 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, David C. Oren, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Attachment: Verified Translation of Korean Priority Document

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